

EXHIBIT 5



Oracle lands blow in fight against cut-price support firm

Rimini Street vows to fight court ruling that it engaged in "theft" of Oracle's intellectual property

By Doug Woodburn 15 Aug 2014

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Oracle claims it has landed a thumping blow in its long-running legal punch up with third-party support provider Rimini Street.

The duo's courtroom battle dates back in 2010, when Oracle accused Rimini of using copyrighted Oracle software and support material. Rimini swiftly launched counterclaims for defamation and unfair competition.

Claiming it can undercut Oracle's and SAP's annual support fees by a half, Rimini's aim is to [break the perception](#) that enterprise software can be fixed only by the firm that made it. The company is run by Seth Ravin, who co-founded TomorrowNow, a former SAP subsidiary which Oracle also [successfully pursued through the courts](#).

This week, the US District Court in Las Vegas dismissed Rimini's counterclaims and found that Oracle's statements "that Rimini had engaged in 'massive theft' of Oracle's intellectual property are true".

"It is undisputed that Rimini engaged in theft of Oracle's intellectual property...", Oracle noted the court said.

The court also found that Rimini infringed Oracle's copyrights.

Oracle attorney Geoff Howard said the ruling was an "important vindication of Oracle's intellectual property rights".

"After today's ruling, Rimini can no longer deny that it engaged in 'massive theft' of Oracle's intellectual property. We look forward to holding Rimini Street and Seth Ravin accountable at trial for the damages caused by their misconduct," he said.

Rimini - which saw sales rise by 37 per cent to \$20.4m in its most recent quarter - said it would appeal the ruling as it moved to reassure customers they would not be affected.

"While we respectfully disagree with the court's rulings today and reserve the right to appeal, the rulings relate to Oracle software no longer in use at Rimini Street and therefore do not cause interruptions to service for any client or any product line," Rimini said in a statement.

"Rimini Street looks forward to our long-awaited and anticipated day in front of a jury, and we will continue to vigorously defend the lawsuit and attempt to reach a fair resolution."

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